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February 4, 2022

VIA ECF

Honorable Christian F. Hummel, U.S.M.J.
United States District Court
Northern District of New York
445 Broadway
Albany, New York 12207

Re: Carroll v. U.S. Equities Corp., et al.
Case No. 1:18-cv-667 (TJM)(CFH)

Dear Judge Hummel:

This firm represents defendants U.S. Equities Corp., Linda Strumpf and Hal Siegel (collectively, the “Defendants”) in the above matter. We write on behalf of Defendants and Plaintiff *Pro Se* Robert Carroll (“Plaintiff”) to confirm that the parties have reached an agreement with respect to Plaintiff’s motion for leave to file a Second Amended Complaint (“SAC”), currently pending under Docket Entry 46.

Specifically, Defendants will stipulate to accept the SAC as Plaintiff’s operative pleading and will serve an Answer thereto on or before February 11, 2022. However, in said Answer, Defendants shall not be required to address the Fifth, Sixth, Seventh, Eighth and Ninth causes of action in the SAC, as those claims were previously dismissed by Judge McAvoy on November 30, 2020. (ECF Doc. 53). Plaintiff acknowledges that the foregoing causes of action were included in the SAC solely to preserve his rights to appeal their earlier dismissal.

Based on the foregoing, the Plaintiff and Defendants jointly request that Plaintiff’s motion to amend be withdrawn and that the SAC be deemed filed under the terms set forth above.

We thank the Court for its consideration.

Respectfully submitted,
Kaufman Dolowich & Voluck, LLP

By: /s/ Adam M. Marshall
Adam M. Marshall, Esq.

SO ORDERED.

HON. CHRISTIAN F. HUMMEL, U.S.M.J.

Hon. Christian F. Hummel, U.S.M.J.

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cc: Robert Carroll
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(Via Email)